

S P E E C H

18.

OF

M R. J O H N D U E R,

DELIVERED IN THE CONVENTION OF THE

PROTESTANT EPISCOPAL CHURCH

OF THE DIOCESE OF NEW-YORK, ON FRIDAY, THE 29TH
OF SEPTEMBER, 1843, IN SUPPORT OF

The Resolutions

OFFERED BY JUDGE OAKLEY.

NEW-YORK:

HARPER AND BROTHERS, 82 CLIFF-STREET.

1843.

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ALL the reports of this Speech that have hitherto appeared are exceedingly imperfect ; nor is it asserted that the present, although revised by its author, is an exact representation of the Speech as delivered. It is the same in its divisions, its principal topics, and main arguments, and throughout there has been a constant effort, so far as the recollections of the speaker would enable him, to preserve its original language ; but, perhaps, some few things then said are omitted, or are greatly varied in expression, and some illustrations not then used are now introduced. The argument is brought out more fully, perhaps in a more clear and logical order, and certainly with fewer of those abrupt transitions that in an unprepared speech are usual and almost inevitable. The Speech exhibits the views that were in the mind of the speaker when it was delivered, and for its publication in its present form he is responsible.

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SPEECH, ETC.

ON Thursday evening, the 28th of September, Judge Oakley introduced the following resolutions, and urged their adoption in a very temperate and judicious speech. They were directed to be printed, and were made the special order for the following day, at twelve o'clock.

The resolutions are as follows :

“Whereas, it appears that a doubt exists as to the true construction of the rubric, which directs that, in the ordination of a candidate for orders in the Church, the bishop shall call on the *people* to make known the existence of any impediment to such ordination, whether any presbyter in the Church has a right to respond to such call, as one of the people ; and whether, in case any impediment be alleged, and the same has undergone a previous investigation upon a private complaint, and has been determined by the bishop to be unfounded, it is or is not the duty of the bishop to suspend such ordination—

“Therefore, for the purpose of solving such doubt,

“*Resolved*, That the delegates from this diocese to the General Convention be requested to bring the subject to the notice of that body, that such action may be had thereon as may seem meet.

“*Resolved*, That the delegates from this diocese to the General Convention of the Church be requested to propose for adoption to that body, at its next meeting, a canon, which shall in substance provide that, when a bishop shall receive from any two presbyters objections in writing to the ordination of any candidate for orders in the Church, notice of the time and place of the examination of such candidate shall be given to such presbyters, who shall thereupon have the right to be present at, and take part in such examination ; and that, for the avoidance of any misunderstanding or mistake, all questions put to such candidate, and the answers made by him, shall be reduced to writing.”

On Friday, at twelve o'clock, the bishop having announced that the hour for considering the resolutions had

arrived, addressed to the Convention the following remarks :

“ My Brethren of the Convention :

“ I cannot resist the impulses of duty which prompt me to address to you, before we enter on the special business of the day, a few words of affectionate counsel. The eyes of the world are upon us. The eye of God is upon us. Wicked attempts are making without, to rend us asunder by jealousies, and to provoke the disunion of our happy communion. To meet this, be we all as one man—clinging to Christ, his cross, and his Church, let us resolve that we will be one in order, in affection, and in all the graces of the Christian faith.

“ Happily, the shape given to the resolutions now before us, and the principles, feelings, and intentions avowed by the respected member who introduced them, give us no just reason to fear the introduction of doctrinal points which cannot be here settled, and the discussion of which can do nothing but harm; or of those having personal bearings, the extent of whose malign influence can hardly be conceived. In the fear of God, the love of Christ, and pure and holy devotion to his church, go on. And let me affectionately commend to you, as an example, the blessed spirit manifested in the great and judicious Hooker, when the end of his holy life was approaching—who of us knows how soon may be the end of his own life?—and of which this sacred festival has reminded me. Speaking of the solemn period just after that saint had received the holy communion—which I would to God all of us had done this day—his biographer observes: ‘ When that was administered, the doctor thought he saw a reverend and holy gayety in his face; but it lasted not long, for his bodily infirmities returned, and became so severe that the doctor apprehended that the end had indeed come. He rallied, however, and the doctor left, with a promise to return on the following day, which he did, and found him better, and apparently in deep contemplation, and not inclinable to discourse; the which gave the doctor occasion to ask his present thoughts, to which he replied that he was meditating on the numbers and nature of the angels, and their blessed obedience and order, without which peace could not be in heaven, and so that it must be on earth.’ ”

At the conclusion of this address, Mr. Duer, a delegate from St. Mark's Church, rose, and spoke as follows :

I thank you, sir—thank you most sincerely—for your wise and pious admonitions. They are admirably suited to the time and the occasion. They coincide entirely with my own convictions as to the proper mode of conducting this debate, and the temper and tone that they recommend I earnestly hope will be found to prevail in the observations that I intend to submit.

I feel it to be an imperative duty, not only respectfully to urge, but earnestly to solicit, the passage of the resolutions now under consideration. There are reasons, as it seems to me, of a controlling force that should induce us to adopt them ; nor will I renounce the hope, notwithstanding the indications of an opposite disposition that have already been given, that these reasons, if temperately stated and clearly explained, will yet command the assent of the majority of this Convention. To the gentlemen from whom the indications to which I refer have proceeded, I beg to reiterate the assurance of the mover of the resolutions, that it is not in a spirit of hostility that they were conceived and are now offered. On the contrary, they were framed with a direct view to conciliation and compromise, and in that spirit they are tendered to your acceptance. Their design is not to interrupt, but to restore and secure the tranquillity and harmony of the Church ; *not* to exasperate, but to soothe, and, probably, to quell the disputes that have disturbed our peace ; *not* to increase, but to avert the dangers that have threatened to distract our unity. In stating that such are our motives for urging the adoption of these resolutions, we *demand* to be believed ; and, *if* the resolutions themselves, in their actual tendency or probable effect, correspond with our motives, we have surely the right to expect that their passage will no longer be opposed. We may, then, indulge the hope that their adoption by this Convention will be hailed by the Universal Church as a pledge of the restoration of friendship, and the harbinger of the restoration of peace.

That the proposed resolutions have grown out of a recent transaction in this city, the unfortunate cause of so much agitation and controversy in the Church, is not denied. It is apparent on their face—it was confessed by the

mover. As this transaction has suggested the measures now proposed, it is from the circumstances that attended, and the consequences that followed it, that our chief arguments in their favour must be derived; but, in urging these arguments as applicable to the *merits* of the resolutions, it is not at all necessary to inquire into those of the transaction itself, still less to express any opinion on the propriety of the decision that resulted in the ordination of Mr. Carey. The topics are in themselves entirely distinct, and that distinction, if I am permitted, I mean carefully to observe. I cannot, indeed, say, with my learned friend who moved the resolutions, that, from the confused and contradictory nature of the evidence, I have been unable to form any opinion on the real character of the transaction in question, or on the propriety of the final decision. The materials for forming a judgment are, it is true, in a measure imperfect, and involve some, at least, apparent contradictions; yet their careful examination, I must not shrink from avowing, has led me to form a very definite opinion, which, should the necessity arise, I am ready to express and prepared to maintain; but from any intimation of that opinion, or any explanation of the grounds on which it rests, I shall resolutely abstain, unless forced from my reserve by the course that others may adopt. For myself, I do not merely deprecate, but earnestly protest against the introduction of the extraneous topics to which I have alluded. Their discussion in this place is certain to be productive of serious evils, and in no possible result can lead to good.

Having made these preliminary remarks, I proceed to the consideration of the first resolution—first in the order in which they were presented, not in that in which they are erroneously printed. It proposes, in substance, that our delegates to the General Convention shall be requested to procure from that body an authoritative interpretation, in the constitutional mode, of the rubric that precedes the office of ordination to the ministry; and why such a resolution should provoke opposition, and upon what grounds its adoption is meant to be resisted, I am still, after much consideration, at a loss to imagine. It certainly assumes that serious doubts as to the true interpretation of the rubric now exist, and that the interests of the Church require that these doubts should be removed; and, if neither of

these propositions can be controverted or denied, the passage of the resolution would seem to be a necessary consequence. My argument, therefore, will be directed to prove, first, the existence of such reasonable doubts, and, next, the expediency—I add, the necessity—of their removal.

Our respected diocesan, in the lucid and powerful address that commanded from us all such profound attention, was listened to by us all with a general approbation, if not of its sentiments, at least of its spirit and tone, and an entire admiration of its ability, has stated that the term “people,” as used in the rubric, refers exclusively to the *laity* then present; and, consequently, that when the bishop, addressing the people, calls upon any present who knows of any impediment or crime that should prevent the ordination of the candidate, to come forth and declare the same, no minister of our Church, although not officiating in any manner in the solemnities of the day, but setting and acting with the congregation in the body of the church, can be justified in responding to the call. No matter of what crime the candidate may have been guilty—no matter to what extent his religious opinions may be *hostile* to those of the Church he is preparing to enter—no matter how clear and conclusive may be the evidence by which the minister may be able to establish such charges, it is his duty then to remain silent. As to him, the period when he should have spoken is irrevocably past. It is evident, that if this be the true interpretation of the rubric, the reverend presbyters who protested against the ordination of Mr. Carey have, by that act, been guilty of a breach of the order of the Church; and, however pure may have been their motives, have rendered themselves liable, at least, to the private admonition of their bishop; and if the terms of the rubric are so clear and unambiguous as is asserted—if they cannot, in truth, be understood by any reasonable mind, in any other sense than that which the bishop has adopted, then the conduct of the reverend gentlemen is without excuse, and may justly subject them, not merely to a private admonition, but to a public censure and punishment. In fact, if the observations of our bishop, in his address, are to go forth unquestioned to the world; if, when published, they are to be considered as expressing authoritatively the sense of the Church in this diocese, their very publication will operate as

a public censure of the most painful and decisive character. It is true, the remarks of the bishop were abstract in their expression, but we all know and feel that they must and will be *personal* in their application. Hence the necessary effect of their publication, if the reverend gentlemen and their friends acquiesce and are silent, is, to hold up Doctors Anthon and Smith to the Church and the world as undeniably guilty of the offence with which they have been charged—as having, by their disorderly conduct, interrupted and disturbed the public worship of the Church to which they belong—in fine, as justly chargeable with all the evils that may flow from the controversy their conduct has excited, and the scandal it has occasioned. These consequences, it will not be denied, are exceedingly serious: they tend directly to impair, if not destroy, the future usefulness in the Church of the reverend gentlemen on whom they are to fall, and deeply to affect the tranquillity of their own minds, and the happiness of their families. Some consideration, then, is certainly due to the motives and feelings of those by whom such consequences are sought to be averted. As the case now stands, there is but one mode by which they can be averted; and that is, by publicly showing to this Convention that the terms of the rubric may be reasonably understood in a sense by which the conduct of these reverend gentlemen is fully justified.

It is the belief, then, of that large body of the clergy and laity of the Church (I speak not merely of our own diocese) by whom the protest of Drs. Smith and Anthon, not only in its motives, but in its form, is fully approved, that the term “people,” as used in the rubric, is strictly synonymous with “congregation;” and hence, that, far from applying exclusively to the laity, it includes all who are then in attendance on the services of the Church as hearers, and not for the purpose of conducting them. In short, that all are “people” who are not *officiating* as *clergy*, and that it is for the sole purpose of marking this distinction that the term is used. They do not contend that the word “people” includes the clergy, because such is its civil or political sense; they believe that such is its ecclesiastical meaning, that is, the meaning in which it is used by the Church (with one or two exceptions) in all its services and offices, or, speaking more properly, in the rubrics that precede them. There is, indeed, one rubric, that which immediately precedes the ad-

ministration of the Holy Communion, in which the word refers exclusively to the laity; but this interpretation is here forced upon us by the context. By express words, all the clergy present, of every order, are separated from the "people," so that only the laity are left to whom the term can apply. But I am not aware, and do not believe, that there is any other rubric in which the context requires that it should be understood in this restricted sense, and, in many, its adoption would be plainly inconsistent with the intention of the framers of our liturgy, and the uniform practice of the Church. Let us open our prayer-books—pass to the general confession. The rubric directs that it shall be said "by the whole *congregation* after the minister, all kneeling." The term "congregation," by its own force, embraces all who are assembled for the purpose of uniting in Divine worship; and that all clergymen then present as belonging to the congregation, would be bound to obey the injunction of the rubric, will not be denied or doubted. But proving that clergymen not officiating are a part of the congregation does not prove, it will be said, that they are a part of the "people." True: pass, then, to the "absolution." The rubric says that "the declaration is to be made by the priest alone, standing, *the people still kneeling*." It cannot be doubted that the people who are still to "kneel," are the very same who before had been commanded to kneel. It cannot be doubted that a clergyman who, as one of the "congregation," had kneeled, would be bound, as one of the "people," to continue in the same posture. The proof is therefore complete, that the words "whole congregation" and "people," as here used, are precisely equivalent in meaning. There is not even a shade of difference. It would be useless, sir, to pursue the argument. It is enough to have proved that the word "people," when first used in the prayer-book, designates the whole congregation, as distinguished from the officiating minister, and does not refer to the laity alone, as contradistinguished from the clergy. Having proved this, the presumption is not only fair, but necessary, that it is to be understood in the same sense in every place where it subsequently occurs, unless the context necessarily imposes a different meaning. That the context of the rubric we are considering contains a single word to create such a necessity, or even to justify a suspicion that a different meaning was intended, cannot

with truth, and, I am therefore sure, will not be asserted. It remains, therefore, only to inquire, Whether there is anything in the nature of the duty which the "people," when addressed by the bishop, are called to perform, that should preclude a clergyman, as one of the people, from responding to the call? Is there anything in the nature of the duty to render its discharge by him in any degree inconsistent with the sacred functions of his office? Directly the reverse. It is one of the duties which the ministers of our Church, as such, by their vows of ordination, are under a peculiar obligation to perform. It is one of the duties which the ministers of our Church, as such, are, or ought to be, peculiarly qualified to perform. When the objections relate to the faith of the candidate, when they charge him with errors repugnant to the doctrinal standards of the Church, all laymen would be unwilling and most incompetent to state them. It is by clergymen that such objections may be stated with the most propriety and force. It is from clergymen that they would proceed with the most authority and effect. To compel them to be silent is, in a measure, to prevent the objections from being made at all. It is to secure to the candidate an undue protection, by a suppression of the truth and a sacrifice of the interests of the Church.

It is, however, intimated that there are reasons of great weight that should prevent a clergyman from assuming on himself, as one of the people, the discharge of this important duty. The clergy of a diocese, it is said, have sufficient opportunities of acquainting themselves with the character and qualifications of candidates for orders prior to their ordination. If a clergyman, by the use of these opportunities, has acquired a knowledge of the existence of any crime or impediment that should prevent the ordination of a particular candidate, he should, without delay, state his objections to the bishop, that their sufficiency may be at once examined. It is not necessary or proper that he should suspend his protest until the hour for the ordination arrives, and then, by making it publicly, incur the hazard of provoking a scandal, and exciting a controversy in the Church. Now, in reply, Mr. Chairman, I would most respectfully observe, that these considerations, giving to them all the force that can be justly claimed for them, do not affect at all the *existence* of the right that is

claimed, but refer solely to the expediency or propriety of its exercise. It may be entirely true, that it is the duty of a clergyman to inform himself of the character and qualifications of each candidate for orders prior to his ordination. It may be entirely true, that when he knows or believes that valid objections to the ordination exist, it is his general duty to make them known, without delay, to his bishop; and it may be equally true, that it is his general duty to acquiesce in the decision that the bishop may then pronounce, and if the candidate be judged worthy, to cease from farther opposition; yet, in perfect consistency with all these admissions, it is also true, that there may be valid reasons operating both upon the judgment and the conscience of a clergyman that should determine him to adopt a different course. There may be valid reasons, which, if he possess the right as one of the "people" publicly to object to the ordination, would render the exercise of that right an imperative and solemn duty. I will not attempt to explain what are the valid reasons to which I refer, lest, contrary to my wishes and intentions, an invidious application should be made of my remarks. It is enough to say, that where a clergyman knows, or conscientiously believes, that the most effectual, perhaps the only mode of preventing the ordination of an improper candidate, will be to state openly, in the presence of the congregation, the grounds of his objection, his silence, if he is authorized to speak, so far from being commendable, would be a criminal dereliction from duty. In short, Mr. Chairman, it is upon the true interpretation of the rubric, as affecting the existence of the right, that the whole controversy turns; and no arguments not directly bearing on that interpretation can justly affect our decision. Let it be proved or conceded that a clergyman, sitting and acting with the congregation present at an ordination, is *one* of the "people" to whom the call of the bishop is addressed, and his right to reply to the call can no longer be questioned; and in the exercise of this right, it should never be forgotten that he is responsible to his God alone. There is no authority, no tribunal, civil or ecclesiastical, that in this matter has any jurisdiction over his own conscience. If, having sought that aid and direction which, on an occasion so solemn, he is bound to implore, he deliberately obey the dictates of the monitor within, whatever may be the consequences of his act, instead of merit-

ing reproach and censure, he is entitled to our sympathy and applause. We may differ from him widely as to the validity of the objections on which he relies, and may lament his error of judgment in stating them, but can never be justified in denouncing him as having transcended the limits of his duty and violated the order of the Church ; and the language of those who would represent him as a “disturber of its public worship,” should be resented by all, as an unmerited and odious calumny.

It has been said, Mr. Chairman, that the right of a clergyman, sitting with the congregation, and, therefore, *virtually* one of the people, to object to an ordination is not denied ; but that his right to make a protest in his “clerical capacity” is alone contested. Now, sir, I am not aware that the existence of such a right has ever been asserted, and certainly no such right has yet been exercised. It is fully conceded, that it is only as one of the people, and not in his clerical capacity, that a minister is authorized to object, since it is to the people alone, and not to the clergy, as distinguished from them, that the call of the bishop is addressed. The argument to which I refer is founded solely on a misapplication of the term “clerical capacity.” A clergyman is never acting in his “clerical capacity” unless when engaged in the performance of some duty that his office of a minister in the Church alone authorizes him to perform. He is not acting in his “clerical capacity” if the duty be one that any member of the congregation, as well as himself, may lawfully discharge. Although he may be dressed in his canonical robes, if he is not employed in the services of the Church, but unites in worship with the congregation, it is solely as one of the people that he is present. By replying to the call of the bishop, he elects to be considered as one of them. The reply is, in itself, a conclusive and public declaration of the capacity in which he acts. In short, the capacity in which, not only a clergyman, but every other person holding an office, is acting, must in all cases be determined by the nature of the act itself, not by the colour or form of his habiliments. The act is never to be regarded as official, unless it is solely by virtue of the office that it is claimed to be performed. Still less weight is there in the observation that a clergyman is to be considered as acting in his “clerical capacity” if, when making his objections in writing, he adds to his own

name his official designation, by describing himself as the rector of a particular parish, or a doctor of divinity. In all public acts of importance, it is usual and proper for the individual performing them to add the title of the office that he holds, if his official character be such as will probably give additional weight and solemnity to his act. Should my revered friend, the delegate from St. Bartholomew's, deem it his duty, on any occasion, to object to the ordination of a candidate, and, making his protest in writing, should add to the name "Samuel Jones," "Chief-justice of the Superior Court of Law in this city," I hardly imagine it would occur to any one that the addition was to be regarded as evidence that he claimed to perform the act in his "judicial capacity" as "chief-justice," and not as "one of the people." It would be seen by all that the addition was made because his official character and station would carry with them, to the Church and the public, conclusive evidence that his objections were not lightly and inconsiderately made, but were the result of a full conviction, and of mature consideration. These observations apply to the case of a clergyman in all their extent. In principle, the cases are not distinguishable. If he add to his name his official titles, it is upon grounds exactly similar that the motives, the propriety, and the construction of his act are to be explained and vindicated.

Such, sir, are the views of those who approve and defend the conduct of Doctors Smith and Anthon; such is their interpretation of the rubric; such the arguments by which it is supported. But, in order to justify the members of this Convention in voting for the resolution proposed, it is not at all necessary that these views should in any degree command their approbation or assent. The resolution may be voted for with the same propriety, and exactly upon the same grounds, by those who adopt with unhesitating faith the sentiments of the bishop, as by those who, in the exercise of their own judgment, are forced to dissent from them. To justify a member in voting for the resolutions, it is only necessary he should believe what it is impossible he should deny or doubt, that the views I have attempted to explain are really entertained by a portion of the clergy, and a very large body of the laity of the diocese; and that there exists not the slightest probability that their opinions on this subject will be abandoned or changed. It is upon these facts.

alone that I build the argument ; it is their existence alone that demonstrates the propriety of adopting the resolutions. If this contrariety of opinions certainly exist, and it is certain that it will continue to exist, it is equally certain that it will continue to manifest itself in actual conduct. If to-morrow an ordination similar to that of Mr. Carey were to take place, there are clergymen now present who, if possessed of evidence similar to that on which Doctors Smith and Anthon are proved to have acted, would esteem it a duty to imitate their example—a duty, from the discharge of which no personal considerations would be of force to deter them ; and there are thousands of the most attached and devoted of the lay members of our Church who would unite to justify and applaud their conduct. From such an event a new, and probably a more angry and embittered controversy than that we have already witnessed, would be certain to arise ; and I press it most earnestly on the attention of those who are most anxious to maintain episcopal authority, that our bishop would, in such an event, have no power to enforce the views that he has publicly expressed. In the existing state of opinion and feeling in this diocese, the very attempt to bring to a trial the supposed offenders would lead to fatal dissensions. Is it desirable that this state of things should continue ? Is it desirable that, on a question of vital importance, a marked opposition in sentiment and practice should subsist between the bishop of a diocese and any portion of its clergy and laity ? Is it not evident that, unless a suitable remedy be applied, dissensions, springing from this source, must continue to distract, perhaps in the end to divide the Church ? Is there any other mode by which these evils can be prevented, except that now proposed for your adoption, and which in the confidence of truth we urge, and in the spirit of friendship and peace solicit you to adopt ? If that which the bishop has sanctioned be the true interpretation of the rubric, it ought to be enforced ; and every clergyman interrupting, by an unwarranted protest, the solemnities of an ordination, should be subjected to the discipline of the Church ; should be censured, perhaps suspended or degraded. On the other hand, if clergymen may lawfully exercise the right that is claimed, they should be protected and encouraged in the fearless discharge of the duty that it imposes. They should be protected, not only from censure and punishment, but from the

vehement denunciations, the virulent invective, to which it cannot be denied that my reverend friends have been subjected. It is manifest that none of these objects can be attained until the true sense of the rubric shall have been declared by the competent authority, the General Convention, speaking in the name, and with the voice of the Church.

The words we have considered are not the only part of the rubric that, in the existing circumstances of the Church, require an authoritative interpretation. There is another portion, the construction of which the peace and good order of the Church equally demand shall be definitively settled. It is that which relates to the duty of the bishop, and declares that, if a crime or impediment be objected, he shall cease from ordaining the candidate "until such time as the party accused shall be found clear of the crime." Here several questions of real difficulty at once suggest themselves. In what manner is the party accused to be "found clear" of the charges? What is the nature of the proceeding that the bishop is bound to institute? Is the duty that the rubric imposes on him imperative or discretionary? Is he bound in all cases to suspend the ordination? or what are the circumstances that will justify him in proceeding in disregard of the objection? On these topics, for obvious reasons, it is not my intention or wish to enlarge. It is not necessary that I should discuss them. It is only necessary to state, briefly, the views of those who believe that, on the ordination of Mr. Carey, a course different from that actually pursued, with entire propriety might have been adopted. They believe that the terms of the rubric plainly imply that, when a sufficient impediment or crime is objected, it is the duty of the bishop suspending the ordination to appoint a suitable tribunal to investigate the truth of the charge, and that the accused, until he shall have been "found clear," that is, shall have been fully acquitted by such a tribunal, cannot be ordained. They believe that the rubric contemplates a trial of the candidate strictly analogous to the trial of an ordained minister on similar charges—a trial to be conducted in the usual forms of ecclesiastical proceedings—a trial not limited to the examination of the candidate, but on which witnesses are to be heard, the proceedings to be recorded, and a judgment to be pronounced. I will not now enter into a detail of the reasons by which this construction may be

supported. It is sufficient to say, that, if this be the true construction of the rubric, the necessity of such a trial, it is evident, cannot be superseded by any private examination of the candidate by the bishop himself. It cannot be superseded by the fact that the charge had previously been made known to him, and that he, aided by the individual opinions and advice of some of his presbyters, had arrived at the conclusion that it was utterly groundless. The rubric does not look only to the personal convictions of the bishop: it looks to the peace and security of the Church. It is for the satisfaction of the Church, for the prevention of future scandal and future discord, that the candidate must be solemnly acquitted of the charge solemnly preferred against him.

It is by no means, Mr. Chairman, a necessary consequence of this construction, as seems to be supposed by some, that it will place it in the power of one or more persons, by renewing the same objection to a candidate, to exercise a perpetual *veto* on his ordination—to prevent him from being ordained at all. So far as my knowledge extends, it is not asserted, it is not believed by any one, that it is the duty of the bishop in all cases to suspend the ordination. When the charge has already been properly investigated and fully refuted, certainly the bishop is not bound to listen to its repetition, but, dismissing it at once, may proceed to ordain the acquitted candidate; but, to justify such a proceeding, it seems to be necessary that the previous investigation should have been of the same character, and should afford the same security to the Church, as the trial that the rubric contemplates. It is not enough that the bishop has believed the charge to be groundless. It is not enough that some of his presbyters, upon a hurried examination of the candidate, have pronounced that opinion. It is requisite to the security of the Church—its security against the intrusion into its ministry of unworthy persons—that the charge has been *proved* to be groundless by an inquiry solemn in its form and judicial in its character.

Having now, as it seems to me, established the main positions on which I placed the argument, and having shown that serious and reasonable doubts are entertained as to the proper interpretation of the rubric, and that the best interests of the Church will be promoted by their removal, I proceed to inquire whether any objections can be justly

urged to defeat the passage of the resolution. Will it be said, as seems to have been intimated, that this Convention, by the adoption of this resolution, will be placed in opposition to our bishop—in an attitude, if not of open, of *covert* hostility? This cannot be said with truth. The imputation or the suspicion is wholly groundless; no such result is intended; no such consequences can follow. The resolution expresses no opinion adverse to that which the bishop has declared. It expresses no opinion whatever as to the true interpretation of the rubric, nor does it require that any shall be expressed by our delegates to the General Convention. It merely asserts a public and notorious fact—a fact known to be true by every member of this Convention—that doubts as to the proper construction of the rubric are entertained, and it implies the expediency of their removal. It does not assert that these *doubts* are entertained by this Convention, or by any member of this body. It affirms no more than their existence in the Church. Will it, then, be said that this Convention has no right even to admit the existence of doubts on a question in relation to which our bishop has expressed his deliberate and final opinion? The objection would be conclusive—it would be unanswerable, if the opinion thus expressed by the bishop were authoritative and binding; it would be unanswerable, were it true that the clergy and laity of a diocese are bound implicitly to follow that interpretation of a rubric that its bishop has sanctioned; but I do not understand that the right of giving to the rubrics an authoritative interpretation, even within his own diocese, belongs to the office of a bishop. I do not understand that this claim now is, or ever has been, asserted by the bishop of our own or of any other diocese; and let those who would concede the right beware, lest, in seeking to exalt the powers of the bishop, they trample on the authority of the Church. The rubrics are the acts of the Church, and to her alone it belongs to interpret them. When the Church has spoken, it is to her voice alone that we are bound to listen; it is her mandate alone that we are bound to obey; and if the meaning of her words be doubtful, it is by her alone that our doubts can be resolved. The resolution, therefore, far from implying the slightest attack on the just prerogatives of the bishop, proposes the only course that, consistently with our duty as churchmen, we can adopt. Under circum-

stances of peculiar emergency, it proposes that we should seek instruction from the only body that, as representing the Church, is competent to enlighten and direct us.

I pass now to the consideration of the second resolution, which I regard, for many reasons, as the most important of the two. It is unnecessary to state its purport; its provisions are too simple to require an explanation. Its general object is to prevent the introduction into the ministry of persons upon whom the Church cannot rely to maintain its true and distinctive doctrines, by securing a full and solemn examination of every suspected candidate; nor will I scruple to avow my sincere and earnest conviction that its adoption in the present circumstances of this diocese is not merely expedient, but in a measure indispensable. I believe that its adoption would tend directly and immediately to allay our present divisions, and to prevent their future occurrence—to restore and secure the peace and harmony of the Church—and that its rejection may lead to consequences that I dread to contemplate, and will not venture to portray.

Assuredly, Mr. Chairman, there is not a member of this Convention who does not perceive and deplore the evils of the controversy that the ordination of Mr. Carey has produced—not one who is not most anxious to prevent a repetition of the scenes to which it has given rise. What is it that, with pain and sorrow, as members of the Church, we have been compelled to witness? Clergymen of the first consideration and eminence in the Church, alike distinguished by their learning, their piety, and their exemplary diligence in the discharge of their appropriate duties—alike deserving and possessing our esteem, and reverence, and love—appearing before the public directly opposed to each other on questions of fact! coming forward as witnesses to a transaction at which they all were present, and differing, not only widely, but, it would seem, irreconcilably, in their statements of what actually occurred! forcing those who examine the evidence to pass upon the credibility or veracity of the witnesses; subjecting us to the hazard of arriving at a conclusion most derogatory to their character and painful to our own feelings. Let me not be misunderstood. I am very far from thinking that, in judging of the controversy, it is *necessary* to pass on the veracity of the reverend gentlemen whose conflicting statements have

been published. For myself, I repel with indignation the assertion or suspicion that there has been in any quarter any intentional misrepresentation. There are other causes, not at all affecting the veracity of the witnesses, to which, in the exercise, not of a charitable, but of a sound judgment, the discrepancy in their statements may well be referred. But I speak of the light in which the transaction appears to the world; and, certainly, to the mass of those by whom the publications on the subject have been read, it seems a necessary conclusion that evasion, equivocation, colouring, suppression or denial of the truth, must be imputed to the one party or the other. Can we doubt that, to all the sincere friends of the Church, it is, it must be, a subject, not only of regret, but of deep sorrow and lamentation, that such a controversy has arisen? It is exactly one of those events that are calculated to affect most injuriously the interests of the Church and the cause of religion—one of those events that tend most to provoke the malice of the world, to give a triumph to the scorner, to confirm the impenitent, and harden the unbeliever. We must all be ready to unite in the prayer that, in the mercy of Providence, no similar disputes may be permitted to afflict the Church, and all who unite in the prayer must surely be ready to unite in their efforts to accomplish its object. The passage of this resolution, humanly speaking, will accomplish the object—accomplish it by preventing the future operation of the causes in which alone this unfortunate controversy had its origin.

To the inquiry, What are the causes to which I refer? I shall answer frankly and unhesitatingly. The consequences we all deplore are to be ascribed solely to the confused and irregular manner in which the examination of Mr. Carey was conducted; to the want of necessary pains in ascertaining, at the time, the true import of the questions put, and of the answers returned; to the want of necessary caution in making and preserving an authentic record of what actually occurred. Nothing can be more distant from my intentions than to wound the feelings by impeaching the motives of the reverend gentlemen who advised the ordination of Mr. Carey. My relations with one of those gentlemen, for a long term of years, have been those of an intimate and undoubting friendship; nor could I, without pain and self-reproach, permit even a moment-

any suspicion of the purity of *his* motives to enter my mind, and I have assuredly no reason to suppose that the motives of those who acted with him were less pure than his own; but I certainly believe, and feel it my duty to remark, that, considering the present conflict of opinions in the Church, and the nature of the charges preferred against the candidate, they did not sufficiently realize the importance, the solemnity, of the duty that his examination imposed. They did not sufficiently reflect on the momentous consequences that might ensue, not merely to themselves, but to the Church at large, from its unsatisfactory performance. They did not reflect that the inquiry was, in its nature, strictly judicial, and that its proper and sole object was the discovery of the truth, without the slightest regard to its possible operation on the feelings, prospects, or character of the candidate. For myself, I can enter readily into the feelings by which, I doubt not, they were governed—feelings in themselves generous and honourable. Their sympathy for the candidate; their high and just opinion of his talents, learning, and piety; their belief that his errors, if any, were those of youth and inexperience, that time and subsequent reflection would be certain to correct; their belief that their existence in his mind, modified as they were by other opinions, far from destroying, would not impair his usefulness in the ministry to which he was anxious to devote himself, would not diminish his ability to serve the Church that he was eminently fitted to adorn. Such, or some of these, were probably the motives that prevailed over the caution which, had they anticipated the consequences that were to ensue, they would doubtless have exercised, and which, had they felt that they were acting judicially, and had been compelled to examine the candidate in the mode this resolution prescribes, they *must* have exercised.

To what cause but to the course and mode of the examination can we ascribe its strange result, that the truth was not sought to be concealed, yet was not elicited? Apparently the candidate studied no reserve. Personally he seems to have been willing to answer fully all the questions that were asked, to disclose his true opinions in all their extent and reality, yet they were not ascertained. To what other cause than the mode of examination can we attribute the undeniable fact, that the question whether Mr. Carey was essentially and in heart a Romanist or a sound

member of a Protestant Church, was left in such painful obscurity and doubt, that men of the most calm and unprejudiced minds, who have studied the case with the utmost possible anxiety to arrive at a just conclusion, have found themselves unable to determine it? And of this no more striking proof can be given than the public declaration of the mover of these resolutions, that he had found it impossible to form a definite opinion on the subject.

I will not dwell longer on these topics—the circumstances that attended—the consequences that have followed the ordination of Mr. Carey. I have not alluded to them in an unkind or controversial spirit, but solely with a view to evince the propriety of adopting the resolution offered. I state, then, as a conclusive reason for its adoption, that, by securing the discovery and preserving the evidence of the truth on the examination of future candidates, it will effectually prevent any future controversy resembling that which has so deeply agitated, and, in a measure, dishonoured the Church.

Nor is this the only reason that should induce us to pass the resolution. There are others of equal, perhaps of greater force. It ought to be adopted for the sake of the bishop himself. Those who desire to maintain his just influence and authority, instead of resisting, should be anxious for its passage. It can hardly be necessary that, at this time of my life, and to the friends who surround me, I should profess my own attachment, my deep and reverential attachment to our Church, in its order and forms as well as in its doctrines. The friends to whom I refer, however they may differ from the views I seek to enforce, will assuredly credit me when I assert that, far from wishing to curtail the authority or lessen the proper influence of the bishop, I desire to maintain him in the full possession and exercise of both; but it should never be forgotten that, from whatever source the powers of the bishop may be derived, they depend for their beneficial exercise upon the confidence, the affections, and the support of the laity. I fully agree that there is no responsibility on the part of the bishop in the exercise of his spiritual functions to the public at large. I admit that with no propriety can he ever be arraigned at that bar; but there is a plain and direct responsibility to his own Church and to its members—a responsibility from which he cannot escape, from which he cannot de-

sire to be released, but should, at all times and in all cases, be prepared and enabled to meet. To enable him to meet this responsibility, and thus to retain the confidence and support of the laity, it is essential that, especially in the discharge of the highest functions of his office, he should be protected against any possible misrepresentation of his conduct and motives. When he has ordained a candidate to whom a serious impediment or crime has been objected, and the propriety of his course is questioned, he should be enabled to vindicate his conduct by showing distinctly and fully the grounds on which he had acted; and I know of no means by which this can be effected, by which the necessary protection can be given to him, except by requiring that the examination of every suspected candidate shall be conducted in the mode that this resolution, if adopted, would sanction.

There are even higher considerations that should influence our decision. The course of proceeding that this resolution recommends may be essential to the protection and safety of the Church itself—essential to its protection against the possible abuse of his spiritual powers by an unfaithful bishop—a bishop unfaithful to *her* doctrines, and to *his* own trust. In stating a hypothetical case, I protest against any application of my remarks to existing circumstances. I am not stating what has happened, or is likely to happen, but what *may* happen. It is possible, then, that a bishop may arise (in the Church of England, in former days, such bishops have existed) whose own mind shall be deeply infected with the very errors against which, as a Church, we have protested—a bishop whose predominant desire it shall be, by gradually effacing the lines of distinction, to draw us into a close and intimate alliance with, and, finally, into the actual embraces of, the Church from which we have separated. It is evident that such a bishop, far from seeking to exclude the candidates whose entrance into the Church we dread, and are anxious to prevent, would be diligent in his efforts to discover and encourage them; he would seek them out, form, instruct, and ordain them, as the suitable and necessary agents to accomplish his designs. It is evident that a bishop thus acting might, in the course of a few years, introduce into the Church a body of clergymen hating the very doctrines they are commissioned to teach, and labouring, not to explain and enforce, but to

subvert and corrupt that purity of the faith in which we have gloried. Will it be said that a bishop thus acting would render himself liable to be impeached, deposed, degraded? True, but in this country no accused party can be punished until he is convicted; nor convicted unless upon adequate proof. By what evidence would you establish the charge? How would you prove that the real sentiments of a single candidate were known to the bishop when he ordained him? The candidate would have produced the usual testimonials, and to obtain them would have practised that dissimulation and reserve that it would be a part of the system to inculcate. The preparatory examinations, what are they in themselves? And under whose supervision, and by whose selected agents, would they have been conducted? No, sir: if the bishop, in deciding on the admission of candidates, is to act secretly, and, of course, irresponsibly; if suspected candidates are not to be subjected to a close and rigid examination, conducted by those who preferred the charge; if what occurs at such examinations is not to be carefully recorded, and the record carefully preserved, a bishop might pursue the treacherous course I have described for a series of years—I do not say without exciting suspicion and alarm, but without exposing himself to the hazard of punishment. He would disregard your fears and your convictions, and, deriding your efforts to displace him, would continue to be your bishop. Against such perils it would be idle to rely on the securities we now have; they would be weak, feeble—wholly inadequate. I have already spoken of the testimonials and preparatory examinations. The only apparent security is the required subscription of the candidates to our Articles of Religion; but what security is that subscription against those who believe in the innocence of mental reservation? What security against those who have been taught to interpret the Articles in a sense that robs them wholly of their Protestant character, and renders them easy to be reconciled with the most obnoxious doctrines and practices of Rome? Under such a bishop there would be no difficulty in finding candidates of the necessary pliability of conscience. Rome herself, acting upon the system that in other countries she is known to have pursued, would supply them. She would send her own emissaries into your Church, and not only permit, but command them to become its ministers. Far

from considering their subscription to your articles as a crime, she would encourage and reward it as an act of pious obedience: the end to be attained would sanctify the means. In the present state of the Church, viewing the actual progress of certain doctrines, and the multitude and zeal of those who have embraced them—remembering the caution with which these doctrines were first promulgated, and the lengths to which their authors have now boldly advanced, it cannot be said with truth that the dangers of which I have spoken are so remote and improbable, that it would be useless to adopt measures of precaution. A Romanist bishop in a Protestant Church is no longer an improbable event. I do not say that against the machinations of such a bishop this resolution would provide an immediate and full security; but I do believe, that by its operation the nature and reality of his designs would in the end be manifested, and that by their exposure they would be defeated. More than two faithful presbyters will always be found in the diocese; and arm them with the powers that this resolution gives, and to their vigilance, fidelity, and courage, the Church, under God, may yet owe its preservation.

I shall now proceed to other topics that are intimately connected with those I have last discussed. I believe that the adoption of this resolution is necessary to restore the prosperity of the Church in this diocese—to secure its future peace, and, not improbably, to preserve its continued existence as one body. I believe that, by its adoption, the fears, the suspicion, the jealousy that to a great extent now prevail in the minds of the laity, will be quieted and removed; that, by its adoption, our clergy will be enabled to recover that hold on the affections and support of their respective flocks which they formerly possessed, but which numerous circumstances, including the ordination of Mr. Carey, have tended greatly to impair. In explaining the grounds of my belief, I shall be forced to state some unpleasant truths; but they are truths necessary to be uttered, known, and pondered. We cannot expect to walk in safety by shutting our eyes. If we are to escape impending perils, we must confess their existence—we must know their causes, nature, and extent. It is with a sole view to this necessary knowledge, and not at all in a spirit of crimination, that I shall bring forward the truths that I purpose to state. I trust that, in stating them, no one will have

reason to accuse me of having passed the bounds of moderation and of charity.

That serious dissensions now exist in our Church it is impossible to conceal—it would be folly to deny. The evils that have sprung, and are likely to spring from these dissensions, to those who have considered them with due attention, wear an unusual and portentous aspect. The dangers with which they threaten us are far more alarming than any that, within our experience, have hitherto existed. They are, that not merely the prosperity of the Church will be checked, its advance retarded, many of its members be driven from its communion, but that the secession of individual members will be followed by the separation of churches, and a fatal and irreparable breach be made in our actual unity. What, then, are the causes to which this state of things must be ascribed? Why is it that the minds of some of our clergy, and of a very large portion of our laity, are filled with suspicion and alarm? Why is it that the confidence of the laity to a great extent has been withdrawn from those whom they have been accustomed to revere, and whom the peace and good order of the Church in a measure require that they should continue to respect and obey? I shall answer these questions frankly and fully. The causes are, the known facts that the doctrines of the Tractarian writers of Oxford have, in certain quarters, been openly embraced—have been propagated in the diocese with unusual diligence and zeal, and, in a journal which claims to be the legitimate organ of the Church, have not only been avowed in their full extent, but have been defended and maintained with signal ability, skill, and learning. It must not be supposed that I mean to enter on a discussion of these doctrines, or even to express my own views as to their character and tendency; but it is necessary to state what are the opinions concerning them of a large portion of the laity of the diocese, since a knowledge of their opinions is a necessary guide to our own action. It is believed, then, by those to whom I refer that the doctrines in question are neither warranted by Scripture nor reconcilable with our Articles or any other known standards of our faith, but, on the contrary, that, if adopted as the doctrines of the Church, they would gradually efface and abolish its true, distinctive, Protestant character. They believe that, although such is the character of these

doctrines, they are spreading rapidly in the Church, and have, in fact, been adopted to a greater or less extent by a majority of the clergy; that they have become a favourite study of the youth in our Seminary, the future candidates for orders, and that, by many of the younger clergy who have issued from the Seminary, they have been passionately embraced, and are now zealously propagated. They believe that the tendency of these doctrines, when allowed their full scope, is to approximate—to assimilate—perhaps, in the end, to reconcile us to a Church whose errors they dread and whose corruptions they abhor; that their direct tendency is to exalt, unduly, the powers and prerogatives of the clergy, and to reduce the minds of the laity to a state of unreasoning, unintelligent, implicit, torpid submission. Finally, they believe that these doctrines, if adopted, would replunge us into the darkness, the superstition, and the spiritual thralldom from which the Reformation delivered us; an event which, however some in our own Church have thought and spoken of it, they still regard as the most beneficial, and, consequently, the most glorious, next to the introduction of Christianity, that has yet occurred in the history of our race.

It is, doubtless, thought by many, perhaps by a major part of those who now hear me, that these opinions are greatly exaggerated or wholly groundless; that, in the progress of the doctrines in question, there is nothing to create a just alarm; that their tendency is not such as is represented, or that they do not prevail to the extent that is imagined: but these assertions, if *true*, cannot alter the existing facts. It still remains certain that such are the opinions entertained, with a deep and serious conviction, by a very large proportion—I firmly believe by the majority of the laity of the Church in our diocese, including in the number many of its most intelligent as well as devoted members. What, then, are the consequences? One necessary consequence is, that those who hold these opinions are disposed to watch with a peculiar solicitude the admission to the ministry of future candidates for orders, since upon the character of its ministers and the nature of their ministrations they know that the future character and fate of the Church itself must, under Providence, depend. The consequence is, that after what has recently occurred, they think they have a right to expect and demand that all sus-

pected and impeached candidates shall, in future, be subjected to a close and effectual examination, the result of which they shall have the means of knowing ; that the examination shall, in each case, be so conducted as to remove all reasonable doubts as to the character and qualifications of the candidate, and not leave, as its sole result, the doubtful problem whether it is to the Church of Rome or to our own that he properly belongs. Is it possible to say that this expectation and demand are unreasonable ? Have not the laity a right to know what are the doctrinal sentiments of those whom, as their spiritual instructors and guides, they are expected to reverence and obey ? Have they not the same right to inquire into their religious as into their moral character ? to be satisfied of the purity of their faith as of the purity of their lives ? I do not understand that, to this extent, the right of private judgment has yet been denied to them, and to this extent, most assuredly, it will continue to be exercised.

Such being the opinions of those whose views I have attempted to state, what must be the necessary effect on their minds of the rejection of the resolution now offered ? Its object is to give the security they demand ; to supply the knowledge they desire to possess. The denial of that security—the refusal of that knowledge—how will they be construed ? They will be construed as evidence of your determination that the examination of candidates shall be in all cases secret, and, therefore, irresponsible. They will be construed as a declaration from the bishop and clergy that, in the exercise of their spiritual powers, they are not amenable even to the members of their own Church ; that the laity have no right to inquire into the motives, tendency, or consequences of their acts, but are heretics if they doubt, and rebels if they complain. The inevitable effect, therefore, of such a rejection, will be to strengthen, to confirm all the suspicions, all the fears that are now entertained. That large body of the laity of whom I have spoken, will then be convinced that the dangers to the Church and to its Protestant faith, which they have apprehended, are real and imminent, and that a prompt and decisive remedy must be applied. What that remedy will be, I shall not venture to predict ; but it is a certain and palpable truth, that a Protestant laity will not long endure to be instructed and governed by a clergy that they believe to be Catholic

—Catholic, I mean, not in the legitimate and Protestant, but in the Roman sense of the term.

On the other hand, adopt the resolution, how certain, how immediate, how beneficial will be the consequences ! It will be a voice from the clergy to their people that all will interpret and understand—a voice declaring, “ Your fears are groundless, your suspicions unjust ; we do not deserve them, and we give you the evidence, we give you the security you demand ; you shall possess the knowledge you desire ; we agree that all candidates, whose Protestant faith shall be questioned, shall, before they are ordained, be cleared of the suspicion by a proper and solemn trial. We agree with you that none who are not Protestants in heart shall be received as the ministers of a Protestant Church, and we show by our acts that we are determined to exclude them.” A voice like this would reach the hearts of all the doubting members of the Church. Their thanks, their gratitude (I speak to the clergy), would be poured forth to you. Their esteem, their confidence would return to you. Their affections, their reverence and love would swell the tide, and in the resistless current all former doubts, all former causes of distrust and discord would be swept to oblivion.

Upon the whole, Mr. Chairman, the demand of the laity is just and reasonable. Their demand is, “ Give us light ! If our suspicions are unfounded, the light will dispel them ; if the dangers we apprehend really exist, give us light ! and we shall know how to meet, to combat, and overcome them.” Such a demand may be now refused, but eventually must be granted. In this age and in this country you must not attempt to blindfold those whom you wish to conduct. If you would lead the laity, the laity must know where you are going. If you would govern their conduct, you must gain their confidence by convincing their reason. If you claim from them an implicit faith, the claim is sure to be rejected, and those who, properly instructed, would have been glad to follow, will be prompt to abandon you.

Here, then, Mr. Chairman, I close the argument ; for the possible objections, that this resolution restricts unduly the powers of the bishop, and implies a censure on his past conduct, I cannot think worthy of an extended notice. The resolution imposes no restriction on the ultimate decision of the bishop, and that which it imposes on his previous action does not at all differ in its character or principle from

those that now exist. In one sense the spiritual powers of the bishop to ordain cannot be limited: he may ordain whom he pleases, but his power to ordain those who are to be received as ministers of the Church is necessarily subject to such regulations as the Church may impose. To deny this, is to subvert the whole constitution of the Church—is to demolish the edifice, in order to build the prerogative of the bishop upon its ruins. It is to make each bishop the pope of his diocese. The resolution implies no censure on the conduct of the bishop, and of the presbyters who acted with him, other than that which results from an expression of the opinion that the course it prescribes ought, in future, to be followed. If this be censure, then every amendment, every alteration you make in the constitution or canons of the Church is a censure on the conduct of your predecessors, on the bishops, clergy, and laity by whom, as they stood, they had been sanctioned. If the fear of pronouncing such a censure is to restrain our action, it must operate, it is plain, as a perpetual bar to any change, however powerful the reasons that demand it. The objection cannot justly be urged as an argument; I trust it will not be used as a pretext.

A few words of expostulation and entreaty, and I have done. I address the clergy and laity, who, in voting to lay these resolutions on the table, evinced their desire to reject them. We address you as friends and brethren (I speak in the name of all who are acting with me, for I know that I shall express the sentiments of all)—we address you as friends and brethren. We lament the divisions that have arisen in the Church, and for a time have partially divided us. We ask you to forget them, and be reconciled. We propose to you terms of reconciliation as fair, as reasonable, as moderate as it is possible to imagine or devise. We ask from you no concessions, no surrender of opinions, no compromise of principle. We offer you measures that, had no controversy arisen, were there no dissensions to be healed, from their clear and permanent utility, ought to be adopted. Will you reject our overtures of peace? Instead of receiving, will you dash from our hands the olive branch we tender? We entreat you to remember, that if by your votes these resolutions shall be rejected, it is upon you alone that the responsibility will rest; you, and you alone, will be answerable to your Church and to your God for the consequences that may follow.

N O T E S.

Page 10.

“Who approve of the act of Drs. Anthon and Smith, in its form as well as in its motives.”

OF all the objections that have been urged against the proceeding of these reverend gentlemen, the most singular, and, we must add, the most unreasonable, is that which relates to its form. The word “protest,” it has been said, implied a condemnation of the act of the bishop, and was, in effect, an appeal to the congregation to judge of its propriety! Now, “to protest” means simply to “witness against.” It may, or may not imply a condemnation of the act to which it relates, and of the conduct of the actor; and whether it does so or not depends solely on the time when it is made. When it precedes the act, and is accompanied with the reasons on which it is founded, it is no more than an objection, in a solemn form, to the performance of the act, and an appeal to the person about to perform it to suspend his proceeding until the validity of the reasons shall have been examined. It cannot imply a censure of the act, or of the conduct of the actor, for the act is not yet performed, and whether it will be is still uncertain. The object of the protest is not to censure, but to prevent its performance; and it is made in the hope, if not in the confidence that such will be the effect. Had Drs. Smith and Anthon waited in silence until the ordination of Mr. Carey had been completed, and then risen and publicly protested against it, their conduct would indeed have been highly censurable, and might justly have been denounced as a disorderly and factious appeal to the congregation to unite with them in condemning the conduct of their bishop. As it was, their proceeding was in perfect harmony with the intention of the rubric. It implied no censure, and no appeal but that which the rubric authorizes—an appeal to the bishop himself, to perform the duty which the rubric imposes on him, by suspending the ordination of the candidate until he should be “found clear” of the charges preferred against him.

Page 25.

“That robs them of their Protestant character, and makes them easy to be reconciled with the most obnoxious doctrines and practices of Rome.”

To give such an interpretation to the Articles is the undisguised object of the celebrated Tract No. 90. Its design is to show that a person who receives the decrees of the Council of Trent, and who, consequently, believes in the infallibility of general councils, justification by works, the invocation of saints, purgatory, the modified adoration of images, the veneration of relics, and the sacrifice of the mass, may yet, with a safe conscience, subscribe

the Articles, and become a minister of the Church of England; although, by these Articles, according to the plain, and hitherto undisputed meaning of their words, all these doctrines are explicitly condemned. In the very able and elaborate Charge of the Bishop of Ossory, which has been recently republished in this country, and which deserves not merely to be read, but to be carefully studied by all who desire to retain the Protestant faith of our Church, the publication and the design of Tract No. 90 are thus described: "While many thinking and honest minds were vainly perplexed with the question how men who entertained such principles and feelings, and who so laboured to propagate them, could remain ministers of the Church of England, a startling solution of the difficulty appeared in a Tract for the Times, which, in some respects, went beyond all that had gone before it. It was professedly a proof that, though the Articles were the offspring of an uncatholic age, and conceived in a Protestant tone, they yet admitted a Catholic interpretation, and might, consequently, be signed by those who held 'Catholic views.' This was the professed object of the Tract. What the practical meaning of 'Catholic views,' as professed and maintained by the school to which the author belonged, was, ought to have ceased to be matter of doubt long before this publication. In fact, from the time that, in their vocabulary, *Protestant* became synonymous with *Anti-catholic*, it ought to have been very clear that *Catholic* could not very materially differ from *Roman*. But if any doubt had rested upon this point, the way in which the writer of this Tract chooses to prove that the Articles may be subscribed by men of 'Catholic views' was well fitted to take it away; for the mode of proof which is adopted for the most part is, by showing that there is, in fact, no irreconcilable opposition between the Thirty-nine Articles and the leading principles of the Church of Rome, as promulgated in the decrees and canons of the Council of Trent! This, in itself, would be enough to give any one, acquainted in any measure with the true state of the case, some conception of the character of the publication. Nothing better, in fact, as all such persons must well know, than sophistry and evasion, could be brought in support of such a thesis. And certainly both are employed in the Tract, in as ample measure as any one could be disposed to anticipate."

This eminently pious, as well as learned writer, concludes his searching examination of the Tract with the remark that its object was to provide for those who, while they received the most essential doctrines of Romanism, were yet desirous to remain as ministers in a Protestant Church. "Such a mode of escape from the fair force of the most solemn and sacred obligations, by such sophistry and evasion, such shifts and contrivances as a man could not apply to the very lightest of the engagements of common life without forfeiting all reputation for integrity and good faith."

He adds. "Soon after, the Board of the Heads of Houses, the executive authority of Oxford, in vindication of the character of the University, and to impede the farther propagation of such principles among its members, visited the Tract with their solemn

censure. The grave and well-considered document in which it was conveyed, after referring first to the statutes of the University, in which it is enjoined that every student shall be instructed in the Thirty-nine Articles, and shall subscribe to them, disclaims, on behalf of the University, all sanction of the series of Tracts with which its name had been associated, and then proceeds to pronounce the following measured but severe sentence upon the particular number which had attracted so much attention :

“ ‘ Resolved, that modes of interpretation such as are suggested in the said Tract, evading rather than explaining the sense of the Thirty-nine Articles, and reconciling subscription to them with the adoption of errors which they were designed to counteract, defeat the objects, and are inconsistent with the due observance of the above-mentioned statutes.’ ”

This is not the only public and authoritative censure that has been pronounced on the Tract in question. A large majority of the bishops in England, as well as in Ireland, in their charges to their clergy, have condemned it upon grounds exactly similar, and in terms just as explicit. Yet it is this Tract, thus rejected and stigmatized by the fathers of our Church—for although its members are separated by the ocean, the Church is one—it is this Tract, upon which such decisive marks of reprobation have been fixed by those who, from their learning, their experience, their piety, and their stations, have the strongest claims on our esteem and reverence, that the “ Churchman,” a journal published under the supervision of our bishop, and by him urged on our continued support, has chosen to recommend in terms of unqualified praise ! That Mr. Carey had studied it with effect, and with an entire adoption of its principles and doctrines, none who have read his confessions and his examination with due attention can hesitate to believe. This Tract is the key that opens the true meaning of all that he said.

Nothing is more strange than the infatuation of those who can believe that the Tractarian doctrines, when their proper character and tendency shall be understood, can long retain their ascendancy in this diocese. Episcopalians are, indeed, attached to their Church, but they are attached to it as Protestants, and not merely as Episcopalians—and as Protestants *first*. They are attached to it as the Church of Cranmer, and Ridley, and Jewel—not as that of Hildebrand and Thomas à Becket. They are attached to it as a Church of the Reformation—not as that of the Middle Ages. Mr. Newman,* and those who *admire* and follow him, may sigh for a return of the days of monks, and nuns, and shrines, and pilgrimages, and images, and relics, and lying miracles—but real miracles must be worked by those who would induce a Protestant laity of the nineteenth century to share his wishes, and aid in their accomplishment.

* A letter has been recently published, containing an account of the farewell sermon of Mr. Newman (the principal author of the Tracts, and the most efficient leader of the party), in which he is said to have deplored the present condition of the Church of England, which, although once “the mother of saints, is now reft of her virgins, her doctors, and her ascetics !”

"The lengths to which they have now advanced."

The charges against the Tractarian writers are usually met, not by showing that their doctrines are not essentially the same as those that, as errors of the Church of Rome, our own Church has condemned, but by proving that, on various occasions, they have expressed themselves concerning the errors and abuses of Romanism in terms of pointed censure and marked reprobation. It is quite true that they have done so; and, fortunately, we are no longer at a loss to understand their motives in holding a language so inconsistent with the tendency of their teaching. A letter of Mr. Newman, probably addressed to a Romanist, and dated in December, 1842, has been published, in which, after pointing out various passages in the Tracts in which he had spoken strongly against Rome, he adds the following words: "If you ask me how an individual could venture, not simply to hold, but to publish, such views of a communion so ancient, so wide-spreading, so fruitful in saints, I answer, that *I said to myself, 'I am not speaking my own words; I am but following almost a consensus of the divines of my Church.'* They have ever used the strongest language against Rome, even the most able and learned of them. I wish to throw myself into their system. While I say what they say, I am safe. Such views, too, are necessary for our position. Yet I have reason to fear still that such language is to be ascribed, in no small measure, to an impetuous temper, a hope of *approving myself to persons' respect, and a wish to repel the charge of Romanism.*" This is plainly saying, "I have condemned your Church, not because I believed the charges against her to be true, but because I deemed it expedient to disguise my real sentiments, and to deceive the Church to which I belong. It was a pious fraud that our position then required. Had we disclosed our views prematurely, we and our doctrines would have been universally rejected." — *Vide* Goode's "Case as it is," 3d ed., p. 55.

"However some in our own Church have allowed themselves to think and speak of it."

In England, the British Critic is the avowed and accredited organ of the Tractarian writers; and as such, according to our recollection, it has, on several occasions, been recommended by the "Churchman" to the support of the Episcopalians of this diocese. In the first article of the fifty-ninth number of that periodical, the Reformation is described as "a *desperate remedy*," a "fearful judgment on the Church," and a "deplorable schism." It is denied that the title of "martyrs" can justly be given to those who laid down their lives in the cause of the Reformation in England, because this would be to admit that they died for "the truth," which, it is added, "*no one pretending to the name of Catholic can for a moment think of conceding.*" In the same article it is said of Protestantism generally, that it is, "in its essence and in all its bearings, characteristically the religion of corrupt human nature." Yet our

dread of these writers and their doctrines, it *seems*, is an idle and childish panic. In the decorous language of the "Churchman," it is merely the cry of "wolf," creating alarm only in the breasts of such weak men as Bishops Eastburn and M'Ilvaine (see the remarks in the Churchman of October 28th, on Bishop Eastburn's Letter). Whether the fears of the laity are visionary or not, there is one truth that the recent proceedings of the Convention have rendered manifest. It is, that unless the clergy in this diocese whose, views, by their own conduct, have been rendered doubtful, shall, by some clear and public manifestation of their sentiments, separate themselves from the "Oxford school," and fearlessly warn their flocks against the contagion of their doctrines, the fate of the disciples in our Church *must* be the same as that of their masters in England. Sooner or later that fate *must* be, to be disowned by the Church of which they now affect to be the exclusive representatives.

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"Each bishop the pope of his diocese."

Our own bishop is now, in effect, the pope of this diocese, if the claims advanced in his address to the last Convention are to be admitted as valid. We understand him as meaning to affirm that he is the true and only source of authority and power in the Church to all below him; that the powers of the laity, as well as of the inferior clergy, are solely derived from him, and that, as a necessary consequence, they are responsible to him for their exercise; that, on the other hand, he, in the same sense, and with the same extent of power as the apostles themselves, is the immediate representative of our Lord and Saviour, from whom alone his authority is derived, and to whom alone he is accountable; that the Convention and the standing committee of the diocese, like the first council at Jerusalem, are only advisory bodies, with whom he may consult, and by whose advice he may be governed if he think proper, but with whose services he may dispense, and whose decisions he may overrule whenever he shall deem it expedient! These positions are somewhat startling, but we entreat the reader to consider attentively the passage in the address beginning with the words, "But, although no responsibility is due," &c., and ending with these, "not of a diffusive character," and then ask himself, most seriously, whether the language is susceptible of any other consistent interpretation than that we have given.

Upon these principles, the conduct of the bishop at the close of the Convention is quite intelligible, and, if the principles be sound, may well be justified. His refusal to permit an individual member to explain his views in submitting a certain paper, and to show the propriety of its reception, and his denial to the same individual of an opportunity to appeal from the decision of the chair to the sense of the Convention, are only to be justified upon the supposition that the rights of the whole body exist only by his sufferance, and may be suspended or annulled at his pleasure!

A P P E N D I X.

THE following extracts contain that portion of the Bishop's Address to the Convention which refers to Mr. Carey's ordination :

It is well known to you, my brethren, that the ordination just mentioned has been made matter of very extraordinary publicity. The course which this has taken has had connexions and bearings which have brought to view important principles, whereon I deem it a duty to express to you, and place on record, deliberately-formed and conscientious views and convictions.

At the foundation of the whole lies the fact, that when, in this ordination, the prescribed call was made on the people for the showing of any impediment or notable crime on account of which either of the persons presented should not be ordained, two presbyters of the diocese, avowedly acting in their capacity as such, read each a written form of objection and protest, charging one of the candidates with unsoundness in the faith. The charge thus preferred had been previously laid before me, fully investigated, and found to be not sustained. This was stated by me to the congregation as the reason why there was no just cause for the delay in ordaining an accused person provided for in the rubric. The solemn service proceeded accordingly, and all the persons presented were ordained. With a strengthened conviction of having acted justly and righteously in this matter, I deem it to be highly proper in itself, and peculiarly demanded by the trying circumstances in which the young brother concerned has been thrown, thus publicly to express my unshaken confidence in him, and to commend him to the confidence and affection of the Church.

As stated above, this case, in the very extraordinary manner in which it has been treated, and from the extensive notoriety which has hence attached to it, has brought to view a variety of important principles, which I deem it my duty to notice. In doing this I shall, for obvious reasons, treat them as much as may be in the abstract.

The first point naturally presented to our notice is the provision of the Ordinal under which this objection was made. What are its true meaning and legitimate operation ?

It is confessedly a call upon the *people*. The *clergy*, either personally or by those who, in the due order of the Church, are their regularly-constituted representatives, are reasonably supposed to have, in their respective dioceses, sufficient opportunities of becoming acquainted with the characters and qualifications of candidates for orders. Their position as watchmen and stewards of the Lord requires of them that they carefully keep themselves informed, as they may, who are candidates for orders, and what

grounds of trust there are in their aptness and meetness for the ministry. Certain of them are personally concerned in testing the sufficiency of those grounds by special examinations; and the publicity given to the admission of candidates ought to be considered, by every conscientious clergyman, as a call upon him to avail himself of all fitting opportunities of becoming acquainted with their characters and qualifications, and to assist the diocesan, in his peculiar weight of responsibility, by such information in the premises as he may be able to impart. The bishop, therefore, may, by the time the day appointed for ordination arrives, be reasonably supposed to be in possession of whatever his clergy may have to impart respecting the fitness of those expected to be ordained.

In a measurable degree, similar remarks may apply to the laity. It is very gratifying and encouraging to see our laity, especially those of influence in the community, take an interest in the affairs of the Church—the interest, I mean, of uniformly devoted heart and affections, and of solicitude, prayers, and labours of love, growing out of their personal experience and manifestation of the sanctifying influences of that heavenly grace, of the divine imparting of which the Church is God's instrument and agent. I would distinguish this most emphatically from the cases often obtruding themselves, of an unchristian fondness for religious disputation, and a concern for the Church hardly distinguishable from mere indulgence, in another line than those which worldly-mindedness usually supplies, of a litigious disposition, a love of opposition, and a desire for distinction in controversy and in troublous agitation. From such concern in religion no good is to be augured except as it may lead better men to more watchfulness, care, and effort for the Church's well-being. But when our pious and intelligent laity endeavour to keep themselves informed of the Church's concerns, the publicity necessarily given to the admission of candidates for orders secures, in a good degree, *their* watchfulness and care also on this momentous subject, and their opportunity of aiding the proper authorities in attaining to an entirely correct knowledge of those who are in training for the ministry.

It is not to be expected, however, that the laity, or, as the Church designates them, "the people," will generally be informed as to the admission, character, and progress of candidates for orders. It therefore seems to have been always a right and prudent custom for the Church to call upon them in some form or other, at the appointed time of ordination, to bear testimony against any one presented for orders before the holy ceremony proceeds. And there is a well-known union of the authority of liturgical commentators in favour of interpreting this call upon the *people* as intended for *them* in contradistinction from the *clergy*. I can conceive of no case in which a clergyman can properly avail himself of it, except, being present as one of the congregation, not in his clerical capacity, and therefore virtually one of the people, he perceives one presented for orders in whom he knows of the existence of an impediment or notable crime for which he ought not to be ordered, of which he has not had a previous opportunity of

apprizing the bishop, and which he has no reason to suppose has been brought to the bishop's knowledge.

All laws are to be construed on the principles of sound common sense, and so as that the good obviously intended to be accomplished by them should neither be defeated nor marred by the understanding of them with which they are executed. The rubric following the call upon the people states the object of the call to be, that the person objected to shall be found clear of the crime charged upon him before he be ordained. If, then, this has previously been done—if the charge has already been laid before the bishop, and examined by him, and the party found clear of it—it is obviously a case not contemplated by the rubric. The object of the rubric has been gained. The party has been found clear of the charge. There is no law to meet the case, but the holy common law of order, reverence, and silence in public worship. The rising to bring a charge of which the accused has already been found clear is a violation of this law unsanctioned by any other. Else the solemnities of this peculiarly hallowed portion of our ritual would be in danger of perpetual interruption by the repetition of charges over and over again examined and proved to be unfounded.

My solemn and deliberate consideration of this case calls me to the duty of also viewing this portion of the ordinal in another aspect. The term *protest* has been much applied to the action contemplated by it. I have not been able to see the propriety of it. In this, and the few similar passages in the liturgy, the Church seems to act upon the principle simply of aiding the constituted judge in arriving at a correct decision in the matter, not of bringing antagonistic influences to bear upon him, of placing him in an attitude of opposition, or of throwing virtual menaces and public accusation in his way. It would provide him with means for deciding aright, and leave the decision with him. Should this be offensive to the Church, her remedy is found, not in so irregular and hurried an arrangement, not in public accusation so obviously subjected to all the malign influences of personal passion and ill-will, but in the regular and orderly subjecting of the offender to the responsibility duly and orderly provided. I object, therefore, to the propriety of action under provisions now before us being shaped or regarded as a protest.

But it may be asked, Will you take entirely from the clergy and people of the Church the privilege of protest when their rights are endangered, and iniquity bears sway in the counsels and acts of those in authority? There *are*—the history of man, in every department of his social character, evinces that there mournfully have been—extreme cases in which all the ordinary provisions of law are wickedly deprived of their influence for good, and individual and social rights demand the interposition of such law as the emergency renders imperative. Then even resistance, and forced changes in social relations, have been found unavoidable, and submitted to as lesser evils. There may be emergencies when people in reference to their pastors, and pastors and people in reference to their bishops, may have no alternative left, con-

sistent with conscientious duty to the cause of God, but openly to *protest* against the measures of those to whose decisions ordinarily they are bound reverently to submit. It is hard, however, to conceive of this as justifiable, save where the process of regular accountability has been found insufficient; and equally hard to view it in any other light than as an extreme measure, involving the charge against the party whose acts have elicited the protest, of gross ignorance or palpable unfaithfulness and injustice.

I am also called, in the present connexion, to say a word on the subject, much discussed of late, of the responsibility, in their official acts, of the bishops and clergy. It applies also to the laity, in the various departments in which they are invested with prerogative and duty in ecclesiastical concerns. Responsibility is undoubtedly as much the law of God's house as it is of the various social and civil connexions which He has established among men. On this, however, as on other deeply-interesting points, it is of the greatest importance that we bear in mind an essential and fundamental difference between this house of God, his holy Church, and those unions among men which are of a merely secular and civil character. In these, the primary authority rests in a good degree with the individuals composing them, in their primary capacity. They have associated for their common benefit, and, to secure that end, have each surrendered a portion of original inherent right, and each is, by that right, a judge, with inherent prerogative, as such, to see that his privileges and interests are duly regarded in the operation of the compact, and has his share of the power which is lodged in the body, to dissolve, change, or remodel itself at pleasure.

These principles, with such modifications as are deemed fitting, are incorporated into the civil compact wherever it exists with any recognition of civil freedom. They include the doctrines that the power of the whole is derived from each, and that each is responsible to the whole—doctrines, however, which every form of that compact, guarded with any security against anarchy, sees, and practically admits the necessity of qualifying by sound and wholesome regulations.

The Church is a department of the social compact differing from those of a secular and civil character. It has not resulted from men's voluntarily seeking the good which it may impart, or yielding to the necessities which may have driven them into it, by the surrendry by each, for the good of the whole, of immunities and prerogatives naturally his.

The foundation of the Church lies not in man's agreement, but in God's requirement. Nor does man's association in the Church relate to him as a being having rights to be secured or prerogatives to surrender, nor as one who has a high, honourable, and pure moral sense to bring to bear upon the happiness and welfare of the community to which he belongs. The Church is appointed for man as a being weighed down with frailty and corruption, and, by his sinfulness, shut out from the mercy and exposed to the just anger of his God. It is not a society *formed by him* for the purpose of concentrating and calling into exercise his

powers of self-government, and of promoting his own and others' welfare and interests. As God's instrument and agent of mercy, it takes man as a frail, guilty, and helpless being, that he may be thus put in the divinely-appointed way of grace and salvation through Jesus Christ. Its powers and prerogatives come directly from heaven. Its human agents, in the accomplishment of the holy and blessed ends of its institution, have their powers and prerogatives from God, and not from men. Indeed, as if to illustrate this holy and heavenly character of the Church, the appointment of such agents was not only independent of the Church, but anterior to its full Christian organization. The ministry was appointed to gather, organize, instruct, and guide the Church, not the Church established with power to employ the ministry. The primary powers of the Church, then, are not diffusive, but concentrated. They are not in the members, but the head. They were committed by the Head to the ministry. In this, however, it is evident to all men diligently reading Holy Scriptures and ancient authors, and thence collecting, from its practical development, the great principles designed to be incorporated into the full ecclesiastical organization, Divine sanction is given to qualifications in administering the polity of the Church, which clearly recognise therein an efficient interest given to the subordinate pastoral associates of the chief ministers of Christ's flock, and to the members generally of that holy body. Whatever may be the modifications of this, it is of obvious propriety and importance that we bear in mind this evangelical view of the theory of Christ's Church. A very valuable consequence of this may, by the Divine blessing, be expected to be, my beloved brethren of the clergy and laity, the constant realizing by each of us, in his proper sphere, of the solemn truth, that when we engage in the service of the Church of God, we are employed in an agency, not to carry out a human scheme of benevolence or usefulness, not to promote an end deriving value from its popularity or acceptableness with men, not to devise and execute the most ingenious, improved, or ready modes of showing results; but an agency—with reverence and godly fear be it undertaken!—in the accomplishment, by the mighty power of the Holy Ghost, of the exceeding great and precious object whereby God, in the exercise of ineffable mercy, is, in Christ Jesus, reconciling the world unto Him. Press we, then, ever to our hearts the obvious truth, that then only can we expect to be enlightened and efficient agents in this work, when our hearts are controlled, our characters formed, and our lives preserved by that great principle of evangelical faith which only gives consistency, and in which only we can expect efficiency in whatever we may do in the cause of the Church.

But my principal object in this course of remark was to show its bearing on the question of our responsibility as ministers and members of the Church, in what we do simply as such. Is it to the public? I can see no principle on which this can be justly maintained. How is it possible for a body of men, held together by no common principles of religion, to judge of religious matters? Taking the Gospel for our guide, we must see in the Church and

the world essentially antagonistic bodies. The Church was formed, not to co-operate with the world, but to oppose it—to attack the wicked principles and practices to which it is in bondage, and to come to no terms with it on any other principles than its entire surrendry of its opposition to the pure and holy spirit of the Gospel, and its submission to the rule which Christ, through his Church, would establish over it for its good. Alas! brethren, I need not ask you whether the world is now such as to afford any confidence of its judging aright in matters pertaining to the kingdom of God. No, surely; and let me affectionately say to both the clergy and laity, ever conscientiously acting upon the principle myself, that, for what we do in our several departments of service to the Church, we owe no responsibility to the world; in other words, to the public. From the world we have derived no power. We hold no commission from it. Let us ever, by the grace of God, be careful that, in our intercourse with it, we adorn the doctrine of God our Saviour in all things, and then go forward in our Master's work, indifferent, save for its own sake, whether the world is pleased or offended, and, indeed, looking for the ill-will and opposition from it which that Master and his Divine Word have prepared us to expect.

In natural connexion with this point, a solemn sense of duty bids me to exhort my diocese, through this its representative body, always to frown upon the bringing of controversies or differences on sacred subjects before the world, through mediums and in ways whose principal operation may be expected to involve their exposure to the scoffs and jests of unrenewed hearts, the insolence of the ignorant, and the blasphemies and impieties of the profane. Good men, as did apostles, may differ, and differ seriously, and even warmly; but surely they should be equally jealous of unnecessarily exposing the things of God to that carnal mind which is radically incapable of spiritual discernment.

But, although no responsibility is due from us to the world or the public, yet is it not due to the *Church* as a body? The view above given of the great principles on which it pleased our Divine Lord to organize His Church, seems clearly to indicate that responsibility therein, in its progress to ultimate right of decision, unlike that in human organizations, is towards concentration, and not diffusion. Power and prerogative in the Church came from Christ to the first order in the ministry, and thence to the lower orders, and to the brethren or laity of the Church. As the last gave not power or prerogative, it is difficult to conceive how they can demand responsibility to them as of right. From the earliest times, however, the Apostles and Elders, and their successors, have very rightly and wisely taken counsel of the brethren in the exercise of their prerogative; and this principle has equally wisely and rightly, in various parts and periods of the Church, led to national and diocesan organizations, which have given distinctive rights and prerogatives to all orders of men in the Church—bishops, clergy, and laity. And I gladly avail myself of this opportunity of repeating the sentiment often expressed, of my conviction that the particular organization of our branch of the Church is in

admirable adaptation to its peculiar state and position, and well calculated, if thoroughly understood and properly carried out, to promote order, harmony, and security, and to answer the great spiritual ends for which the Church was established. But I think a careful study of what may be called the genius of that organization, will perceive that the responsibility which it recognises or provides for is eminently of the above-mentioned concentrative, and not of a diffusive character.

There is nothing which runs at all counter to the great Scripture principle that the ministers of Christ are responsible to Him through those whom he has invested with authority over them, and these, again, to their own order in the Church, and both under such regulations, qualifications, and checks, as in sound Christian judgment may, from time to time, be duly and orderly appointed. A practical illustration of the fitness of this is afforded by the manifold evils attendant on public appeals, especially in matters in which the mass of the members of the Church themselves can hardly be deemed competent to judge. And it should be remembered that a public appeal to the Church must almost necessarily involve the evils of one to the world.

I should, however, be much misunderstood, if deemed to deny that there may be circumstances demanding a departure from this principle. I refer only to the soundest and safest general rule, from which a regard for good order would seem to require that there be no departure, save where there is the strongest ground for the conviction that a great evil had better be encountered than a greater.

I am very certain, my brethren, that I need not remind you of the tenaciousness with which I have uniformly endeavoured to adhere to those great catholic principles, which, revealed in the Gospel, have ever been held valuable and important, as incorporated into the evangelical system by all pure branches of the Church of Christ; nor of the readiness with which I have always thought it incumbent on the Christian minister to defend them; nor of the little regard which I have deemed due to any offence which might thus be given, or loss of popularity that might thus be encountered. Whether these principles have had levelled against them the fulminations of papal tyranny and usurpation, or those of Protestant zeal for erroneous and strange doctrines, contrary to God's Word, my devotion to them has strengthened with years, reflection, and experience, and with it my determination, God being my helper, to continue faithful and consistent in that devotion.

But, as you well know, I have never felt it a duty to require those over whom I may have influence or authority to view all these points exactly as I do. Unity in necessary things is perfectly consistent with tolerance and liberty in others, and certainly with the fullest influence in all things of that indispensable ingredient in an evangelical character, the charity which hopeth all things, suffereth long, and is kind. Nothing is more evident in the history of the Reformed Catholic Church in England and in this country, than that a wide latitude of opinion among its bishops and clergy on points not involving essentials of the Catholic

faith, is entirely consistent with unity in that faith. Its liturgies and articles have ever been viewed in different lights by men equally conscientiously attached to them, and maintaining with each other both personal and official communion characterized by the truest Christian courtesy and harmony. Tendencies towards extremes in what may be denominated the Catholic, the Calvinistic, and the Arminian views of our standards have always existed, without rending our unity or disturbing our harmony. On this principle—strong as are my own preferences in the matter, and fearlessly and honestly as I have endeavoured, on all proper occasions, to advance and defend them—I have ever endeavoured to act. I have not shrunk from laying fairly before the hundreds of young men who, in a greater or less degree, have pursued their theological studies under my direction, fully and fairly what I believed to be, not only the essential principles of the Christian faith, but also all their various bearings, connexions, and results, in the great catholic system which I believed to have been handed down from the days of inspiration. Never, however, have I—and God forbid that I should ever depart from the principle!—felt myself at liberty, nor ever have I had the inclination, to erect my views on these latter points into stern requisitions, without compliance with which I should frustrate the evidently honest, disinterested, and pious desire of well-qualified young men to be received into the ministry. Having duly tested their moral, spiritual, and intellectual fitness, and satisfied of their soundness in the essentials of the faith, I have gladly ordained them, most cordially bid them God speed, and done what I could to promote their happiness, interests, and usefulness.

All this I have thought, and doubt not that I shall ever think, the necessary result of that latitude of opinions and views which the Catholic Church has ever allowed to individual mind, and the encroachment on which, by the despotic bigotry of papal anathemas and the intolerant spirit of Protestant sectarianism, has led to some of the sorest evils which have ever befallen the Christian world.

And on the same principle of conservatism, unity, and Christian charity, I have freely and cordially received clergy, on the dismissal of brethren in the episcopacy, who I knew differed widely from me on points which I deemed by no means unimportant. This accustomed token of unity of spirit and the bond of peace will never cease to bless our Church, as long as the ancient and well-tried principles of catholic union prevail, the dictates of Christian courtesy are respected, and the pure and holy affections of the Gospel are cherished.

DIOCESAN CONVENTION OF 1843.

[From the New-York American of October 2.]

THE DIOCESAN CONVENTION, of which the sittings closed on Friday evening, will form an epoch in the annals of the Church.

In point of numbers, it greatly exceeded any before held since the division of the diocese; and the weight of character, talent, age, and station of the lay delegation, attested the interest felt in the questions which it was supposed would come under discussion.

From a pretty constant attendance upon the Convention while in session, we derived a deep impression of the earnestness of its members; while, at the same time, there prevailed, obviously, among those who, as differing from some of the views of the bishop, were expected to lead the opposition, a paramount desire that whatever was done should be done decorously, respectfully, and dispassionately. It is an act of strict justice to bear this testimony to those gentlemen.

The address of the bishop was able, calm, but yet, we must think, unnecessarily argumentative, in respect of the topic likely to lead to contention—the ordination of Mr. Carey.

If this ordination had been simply referred to, among the other ordinary acts of Episcopal duty, without entering into any explanations, or volunteering a defence before any official attack was made, we have reason to suppose there would have been no such attack, and, perhaps, no reference whatever to the occurrence.

But the bishop felt called upon to enter into all the details of the transaction, and to express a very decided opinion as to the course of the protesting presbyters. His remarks on this head were given in Saturday's paper.

Under this provocation, it was impossible for those who approve the course of the two presbyters to remain silent. The course they took in the resolutions offered by Judge Oakley must be admitted on all hands to have been moderate and dispassionate in a remarkable degree. Equally exemplary and commendable was the spirit in which the resolutions were proposed by the mover, and sustained by Mr. Duer. It was a grave error on the part of the clergy—an error denoting, we must think, a total misapprehension of public sentiment and the right of opinion—to endeavour to postpone these resolutions indefinitely, and thus to silence reply from those whose conduct they had suffered to be impugned. The very attempt created strong feeling; and the greater, therefore, was the merit of Mr. Duer in refraining, not only from animadversion upon such intolerance of truth and light, but from any the slightest personal reflection. Indeed, we have rarely seen an instance where the sense of the holy place in which he stood, and of the sacred nature of the topics he was discussing, seemed more thoroughly to pervade the mind of the speaker, and to impart to

him the mastery over the impulses with which he seemed struggling to a more impassioned style and burning thoughts.

The effort to refer to a committee, and the refusal to instruct that committee to make immediate report, were looked upon justly as an indirect mode of evading action, and thus strengthened the conviction of the unwillingness of the bishop's supporters to meet the case fairly.

All these attempts to stifle or put aside discussion were not only wrong in themselves, but impolitic exceedingly, and unnecessary ; because, from the beginning, it was obvious to all calm observers, that no question could be carried in that Convention adverse to the bishop's views. It would, therefore, have been good policy, as well as just in itself, to permit and invite the fullest discussion, as some compensation to those who, on the vote, were sure to be defeated.

As to the resolutions themselves, affirming, as they do, an unquestionable fact, that doubt does exist as to the propriety of the construction given by the bishop to the rubric respecting ordination, and expressing the desire that some modification should be adopted in the mode and extent of the examination of candidates for the ministry, we think their passage would have derogated nothing from the bishop's rights nor interfered with his just authority, the more especially as they were merely suggestions to the General Convention, and not of themselves final.

This, however, is matter of opinion, and about which men might differ without subjecting their sound churchmanship to distrust.

We have seen it intimated in some paper that the bishop, in referring to the resolution respecting an exposition of the rubric, intimated a doubt as to the power of the General Convention over the subject.

This seems hardly probable ; for the General Convention is the supreme authority in the Church, and can as certainly modify or alter any rubric or canon relating to the form or order of worship, the manner and conditions of admitting candidates to holy orders, as they could originally determine or sanction them. For the American Church, the General Convention must be taken and received as the supreme legislative power.

It is under their sanction and authority that the Book of Common Prayer is received and used in the Church ; and surely those who legislate about the whole may legislate about any part.

The rejection, however, of the resolutions, renders this a merely speculative question.

The closing act of the bishop, in summarily putting down Mr. Duer, and refusing to entertain his motion for placing on the minutes a protest against a certain recommendation of the bishop, seems to us wholly unwarranted, and must have arisen from the bishop's confounding the double character in which he appears at the Convention.

The first error was, that, in the present state of men's minds, and with a full knowledge that the course, and especially the tone, of the "Churchman," were offensive to a large and respectable portion of the Convention, the bishop should have gone out of his

way, as he seems to have done, to endorse that journal, and to commend it to the special notice and patronage of the Church.

There could be no Episcopal or spiritual obligation to express these opinions; it was entering unnecessarily into the polemical *arena*, taking the part of one of the disputants, and, in effect, calling upon those in the Convention favouring the opposite side to record on their common journal, and publish to the world, an unqualified commendation of a religious newspaper which they wholly condemn.

Under such circumstances, it should not have been deemed by the bishop disorderly or disrespectful, that those who do not share his opinions about the "Churchman," should desire, in the briefest and most unexceptionable manner, to put their dissent upon the same record with his commendation.

If the matter were extraneous to the business of the Convention, the bishop introduced it, and, as to the point of order, that was for the Convention, and not for its presiding officer, finally to determine. It was, indeed, perfectly competent for the president to declare it, in the first instance, out of order; but it was equally competent for the mover to appeal from that decision, and then the Convention—the sole final authority—would have settled the point.

The bishop might, with equal reason, have objected to the resolutions of Judge Oakley as out of order, and have refused to receive them—indeed, with greater reason—for they did undoubtedly refer to an act performed in virtue of the office of bishop, and which none but a bishop can perform—the act of ordination; whereas the resolution or protest of Mr. Duer referred to a mere difference of opinion between the presiding officer of the Convention and some of its members, touching a matter in nowise connected with the Episcopate—the merits of a religious journal.

But, instead of looking at the resolution as president, the bishop looked at it in his spiritual character, and forthwith fired up at the supposed invasion of his prerogatives. With more time for reflection, we cannot doubt that the bishop would have sent the question of order to the Convention—the rather, as he had the assurance that, on every reasonable occasion—perhaps we might, with truth, state this a little stronger—the Convention were very sure to side with him.

As it is, while heartily commending the forbearance of Mr. Duer, we cannot but regard this high exercise of Episcopal prerogative, in a case more than questionable, and in the present state of men's minds, as most injudicious, we fear it may prove most unfortunate, for the Church.

THE END.

